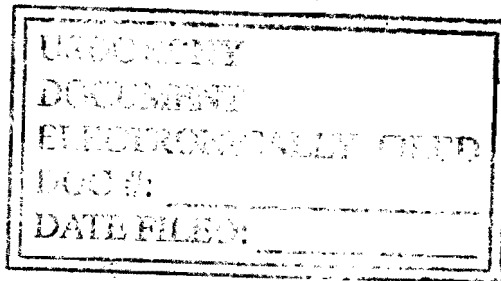


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January 20, 2011

VIA EMAIL

Honorable Alvin K. Hellerstein  
United States District Court  
Southern District of New York  
United States Courthouse  
500 Pearl Street, Room 1050  
New York, New York 10007

Re: In re September 11 Litigation, 21 MC 101 (AKH)  
C & F Ref: DTB/CRC/28507

Dear Judge Hellerstein:

I write in my capacity as Aviation Defendants' Liaison Counsel.

In October 2009, the Court directed that discovery in 21 MC 101 be stayed while the Aviation Defendants and settling property damage plaintiffs mediated their claims (*see* October 15, 2009 Hearing Transcript, pp. 11-17). In January 2010, the Aviation Defendants and settling property damage plaintiffs informed the Court that they had reached an agreement in principle to settle their claims and the Court directed that the stay continue (*see* January 6, 2010 Hearing Transcript, pp. 7, 21-23, 31-32). With the exception of some limited damages discovery in the Cantor Fitzgerald matter and some recent discovery in the Bavis matter, the stay has remained in effect.

On January 14, 2011, defense counsel for certain Aviation Defendants met with counsel for the WTCP plaintiffs to discuss further discovery related to CPLR 4545 collateral source setoffs for the complex and WTCP's claimed damages for the destruction of the WTC 7 building. Both the Aviation Defendants and the WTCP plaintiffs believe that there is no reason to delay this discovery while WTCP's appeal from the approval of the property settlement is awaiting resolution. Accordingly, the parties agreed to make a joint request that the Court lift the current stay of discovery in 21 MC 101 for the limited purpose of permitting the further discovery outlined above.

I have conferred with counsel for the WTCP plaintiffs and submit this letter with their approval.

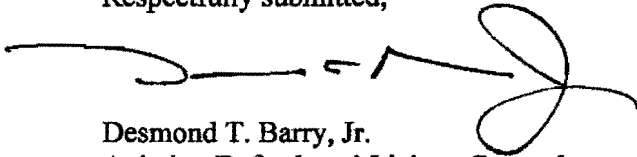
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Honorable Alvin K. Hellerstein

January 20, 2011

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Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Desmond T. Barry, Jr.', with a large, stylized loop at the end.

Desmond T. Barry, Jr.  
Aviation Defendants' Liaison Counsel

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